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A Legislative Handbook. By ASHTON R. WILLARD. Boston and New York, Hurd & Houghton, 1890. — 8vo, 281 pp.

This book meets and satisfies a real want, — a want which is now rapidly becoming an absolute necessity, as the number of legislators without legal training is largely increasing throughout the country. The object of the book is to teach how to draw up, pass and promulgate legislative acts. It is the best handbook of American law that has yet appeared upon this subject. The author has evidently had a good deal of practical training in the matter. The most valuable chapter in the work, in my opinion, is the sixth, on "The Language of Statutes and the Details of Form." This is a matter of the highest practical importance; and the rules, directions and warnings here presented by the author would, if followed, certainly free our statute books from much ambiguity and uncertainty of meaning.

The chapter of the book least satisfactory to the publicist is the fifth, on "Law-making by Resolution." The author enumerates with great care and exactness the things which are ordinarily passed by American legislatures through the form of bills on the one side and through that of resolutions on the other, and he gives a technical distinction between a bill and a resolution; but he does not seem able to arrive at any scientific distinction between the two. This is indeed a very confusing subject, one which continually puzzles both publicists and legislators. Perhaps the author would find aid in this direction when preparing the future editions of his work, by the study of Jellinek's invaluable monograph, *Gesetz und Verordnung*.

J. W. BURGESS.

Inter-State Extradition. By JOHN G. HAWLEY. Detroit, John G. Hawley, 1890. — 16mo, xv, 172 pp.

Although interstate extradition is as old as the constitution, and therefore much older than international extradition as known to the United States and England, it is still rife with uncertainties and contradictions. This is due to two causes: first, the constitution declares that a person shall be delivered up if charged with "treason, felony or other crime," without giving a precise criterion by which all offences can be tested; and secondly, Congress has never prescribed with *sufficient* fulness the way this article should be carried out. On the other hand, international extradition is governed in nearly all cases by treaty stipulations in which the extraditable offences are particularly named and the methods of procedure carefully set down.

This modest little volume is worthy our notice here mainly for two reasons: (1) it is a brief but very pithy and clear exposition of inter-

state extradition both in theory and in practice ; (2) the conclusions drawn from this exposition are put into such shape as to encourage needed legislation and unvarying practice.

Much has been written on the topics treated in this work ; but I know of no volume or article which will give to the student so clear an idea of this subject, and to public functionaries who are connected with interstate extradition so ready a guide to the performance of their duties as Mr. Hawley's. Not even the rural state officers in any of the southern and western states can make a mistake in regard to the subject if this little manual be consulted and its blank forms filled out.

The author's brief arguments, together with the recommendations of the Interstate Extradition Conference of 1887, show how the procedure might be made uniform and positive. The theory has often been maintained that a governor could exercise his discretion in reply to a demand for extradition, as Seward did in the controversy with Virginia. The author avers that the governor on whom a demand is made does not act in his usual capacity, but as "a federal agency acting ministerially" ; and that to do away entirely with the question of discretion, Congress might pass a law making it the duty of some other official to make the delivery. This is one of Mr. Hawley's most striking propositions for the accomplishment of the desired uniformity.

FREDERIC BANCROFT.

Das Staatsrecht des Deutschen Reichs. Von Dr. PAUL LABAND.
Zweite umgearbeitete Auflage. Vol. II. Parts 1 and 2. Freiberg
i. B., Akademische Verlagsbuchhandlung von J. C. B. Mohr (Paul
Siebeck), 1890.

In Volume III, page 123, of the *POLITICAL SCIENCE QUARTERLY*, I reviewed at considerable length the first volume of this great work. The second volume maintains the same degree of excellence as the first, but I do not find it necessary to notice it so minutely or so extensively. In the first volume the author wrote both as publicist and as jurist. In that volume he discussed the way in which the North German Confederation and the German Empire came into existence ; the relations of the empire to the several states, and the question of sovereignty ; the method of amending the constitution and of determining whether or not proposed changes of law involve a change of the constitution. In the present volume, on the other hand, the field covered is wholly juristic. According to my estimate of the author's intellectual bent and genius, he is far more jurist than publicist. Naturally then we shall find much less to criticize in this volume than in the former.